

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JOHN DEWEY LIM,

Defendant.

8:06CR1

ORDER

Defendant John Dewey Lim (Lim) appeared before the court on March 17, 2011, on the Petition for Warrant or Summons for Offender Under Supervision (Petition) (Filing No. 50), as amended (Filing No. 52). Lim was represented by Assistant Federal Public Defender Jeffrey L. Thomas and the United States was represented by Assistant U.S. Attorney Jan W. Sharp. Through his counsel, Lim waived his right to a probable cause hearing on the Petition, as amended, pursuant to Fed. R. Crim. P. 32.1(a)(1). I find that the Petition, as amended, alleges probable cause and that Lim should be held to answer for a final dispositional hearing before Chief Judge Joseph F. Bataillon.

The government moved for detention. Through counsel, Lim declined to present any evidence or request a hearing on the issue of detention. Since it is Lim's burden under 18 U.S.C. § 3143 to establish by clear and convincing evidence that he is neither a flight risk nor a danger to the community, the court finds Lim has failed to carry his burden and that Lim should be detained pending a dispositional hearing before Chief Judge Bataillon.

**IT IS ORDERED:**

1. A final dispositional hearing will be held before Chief Judge Joseph F. Bataillon in Courtroom No. 3, Third Floor, Roman L. Hruska U.S. Courthouse, 111 South 18th Plaza, Omaha, Nebraska, **at 11:00 a.m. on April 11, 2011**. Defendant must be present in person.

2. Defendant John Dewey Lim is committed to the custody of the Attorney General or his designated representative for confinement in a correctional facility;

3. Defendant shall be afforded a reasonable opportunity for private consultation with defense counsel; and

4. Upon order of a United States court or upon request of an attorney for the government, the person in charge of the corrections facility shall deliver defendant to the United States Marshal for the purpose of an appearance in connection with a court proceeding.

DATED this 17th day of March, 2011.

BY THE COURT:

s/Thomas D. Thalken  
United States Magistrate Judge